

**RECORD OF PROCEEDINGS  
OF THE GOVERNING BODY  
CITY OF GARDNER, KANSAS**

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May 17, 2021

The City Council of the City of Gardner, Kansas met in regular session on May 17, 2021, at 7:00 p.m. in the Council Chambers at Gardner City Hall, 120 East Main Street, Gardner, Kansas, with the Mayor Steve Shute presiding. Present were Councilmembers Todd Winters, Mark Baldwin, Kacy Deaton, Randy Gregorcyk, and Tory Roberts. City staff present were City Administrator James Pruetting; Deputy City Administrator Amy Nasta; Finance Director Matthew Wolff; Police Chief James Belcher; Utilities Director Gonzalo Garcia; Parks and Recreation Director Jason Bruce; Community Development Director David Knopick; Public Works Director Kellen Headlee; City Attorney Ryan Denk; and City Clerk Sharon Rose. Others present included those listed on the sign-in sheet and others who did not sign in.

**CALL TO ORDER**

There being a quorum of Councilmembers present, Mayor Shute called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

Mayor Shute led those present in the Pledge of Allegiance.

**PRESENTATIONS**

**1. Proclaim May 16-22, 2021 as Public Works Week in the City of Gardner**

Mayor Shute read into record a proclamation that May 16-22, 2021 be known as Public Works Week in the City of Gardner, Kansas.

**2. 2020 Wastewater Operator of the Year**

Jason Patty, Kansas Water Environment Association, presented Wastewater Plant Superintendent Scott Millholland with the 2020 William D. Hatfield award, recognizing him as the 2020 Kansas Wastewater Operator of the Year.

**3. 2021-2022 Revised Budget Presentation**

Finance Director Matt Wolff said the presentation is in three components. Senate Bill 13 is also known as the “truth in taxation” bill. It repeals the tax lid, establishes a base levy limit with hearing requirements for ad valorem property tax increases, and includes a penalty of refunds. It allows governing bodies’ flexibility on increasing the mill levy, but creates more transparency. The Revenue Neutral Rate (RNR): defined as the “tax rate for the current tax year that would generate the same property tax revenue as levied the previous tax year using the current tax year’s total assessed valuation. To calculate the revenue neutral rate, the county clerk shall divide the property tax revenue for such taxing subdivision levied for the previous tax year by the total of all taxable assessed valuation in such taxing subdivision for the current tax year, and then multiply the quotient by 1,000 to express the rate in mills”. They will consider the amount of property tax levied prior year from the November tax abstract, then take the new valuation estimate and lower mill levy to the RNR to get the same amount of dollars as the previous year. They can’t levy in excess of the RNR unless procedures are followed in SB13. The RNR doesn’t include an inflation factor, doesn’t include an exception for new improvements, and doesn’t include an exception for TIF valuation increases. It is recommended to hold an RNR hearing if planning to exceed or maintain RNR. The RNR is based on the estimated valuation prepared in June. The final valuation versus estimated valuation could result in revenue below the RNR. Staff recommends that they hold an RNR hearing because they have a TIF district. They are required to provide the developer with the TIF increment, but need to hold the hearing in order to capture new property taxes associated with the development. Otherwise, they would have to divert existing property tax revenue away from the General Fund or Bond and Interest Fund to pay the developer. Wolff said the county clerks will calculate RNR by June 15. By July 20, governing bodies notify county clerk of intent to exceed RNR with schedule of hearing. By August 10, county clerks consolidate the required information for all taxing units on one notice and mail/email to all taxpayers. This must be sent out 10 days prior to first public hearing date. This will not occur until 2022 for the 2023 budget. If they choose to hold the public hearing, it must be held August 20-September 20. The deadline for submitting the budget to the county is October 1. If they choose not to hold a hearing, the budget deadline is August 25. The RNR public hearing and budget hearing can be held at the same meeting, but should be separate actions with the RNR hearing first.

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Staff received new budget requests from Gardner Cemetery for 2021 and 2022. They originally requested \$32,365 for both 2021 and 2022, but increased their 2021 budget after the original request. The city pays 50% of their budget. The revised 2021 request \$37,675 and the 2022 budget request is for \$37,180. The primary reasons for the increase are: the sexton's salary increased \$1,800 and is the first increase in 5 years, printing and postage costs were previously absorbed by Bruce Funeral Home and the 2021 budget provides reimbursement for those costs, the budget includes costs for a new computer, software upgrades, and data entry services and are one-time costs, and there was an additional increase in annual mowing costs. Some of these are one-time costs.

Wolff said the June 21 council meeting will include a revenue update and budget policy discussion.

Mayor Shute noted SB13 does not include inflation factor or exception for new improvements. If they bring on new subdivisions, the additional tax revenue is considered part of the whole even though the structures didn't exist the previous year. Because they are adding to the revenue stream, the city will be penalized because it goes against the RNR. Wolff said it would increase the city's valuation, but the mill levy would be automatically lowered so the city collects the same tax dollars as the year before. It would lower taxes on most households. Shute said they would have to manage the infrastructure with the same amount of money, when the amount of infrastructure is increased. Wolff said it puts a strain on public services, putting in new infrastructure to support growth and not capturing increased revenue to support the infrastructure. Shute said when they come off the TIF, the point is to get the money back after the TIF, but the city won't get that now. Wolff said in the agreement with the developer, there's an increment being generated, still required to pay that, but they don't automatically capture that unless they go through public hearing. Shute said they are keeping developer at same level after the 10-year period expires. Wolff said it would affect the city earlier.

Councilmember Gregorcyk asked about the city's exposure with TIF and IRB. Director Wolff doesn't have information on IRB. The new Price Chopper is mostly on tax rolls. The outlying lots are unknown. Gregorcyk asked if there is a list for incentivizing while collecting on incentives or beyond. City Attorney Denk said the city, as part of a TIF, agrees that the increment from the base to what is built; the city will forego the revenues from that ad valorem tax. In current TIF projects, they go through the assessment process and is on the rolls. The increased valuation is on the tax rolls. They take all taxable assessed valuation; the increment is still taxable assessed valuation on the TIF pursuant to the TIF statute agreed to forego the revenue otherwise entitled to. Denk believes IRB and constitutional tax abatements don't count as taxable assessed valuation until the end of the IRB.

Councilmember Winters said it's a truth in taxation bill. The city gets a number and if they have a hearing to explain increases, they can proceed. If they agree to have a hearing, they can adjust as needed. Wolff confirmed, stating they don't want cities capturing valuation growth without notification.

Councilmember Baldwin supports it. The city has to justify what they are doing. He said new improvements will come on the following year on assessed value. Director Wolff noted tax dollars are capped. Shute said they have to do this every year. Baldwin said it's good to tell residents what the city is doing every year. They may consider development agreements and not build infrastructure until the developer moves dirt so the city doesn't spend money on it before there's improvement. Shute said in financing improvements, this will have a chilling effect. They want less tax from citizens, and bring in commercial and light industrial. This bill cuts into that. It will stifle incentives on certain types of development. Baldwin said they can still go forward with same improvements to make development happen, but now it's explained first. Councilmember Deaton said they won't lose out on money; they just have to hold a hearing to get it. They explain to the residents their taxes aren't going up, but the developments are going in and this is the new tax valuation. Baldwin said the mill could stay the same, assessed valuation could go up, they get the difference, it's zero sum to the people. Shute said they have money going out to get infrastructure in place new buildings that aren't there yet. Gregorcyk asked if SB13 supports a two-year budget cycle. Wolff said they still adopt the budget annually. City Administrator Pruetting said no Johnson County cities plan to lower mills, which impacts the city because the mill rate impacts how much they get in county tax, use tax, etc. Shute asked if this affects other entities like school or fire districts. Wolff said school districts are affected differently, but most entities are affected. Denk said it applies to cities, counties, and certain budget requirements applicable to other municipalities. Shute said school districts are different in that they have a baseline of their mills guaranteed by state statute. Denk said school have different mills they can levy.

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Councilmember Gregorcyk asked what the one-time costs were for the cemetery. Director Wolff said new computers and software upgrades. Mayor Shute asked about the \$800 in software licenses. Mike Casey, Gardner Township Board Treasurer, said the one-time costs were computers. Councilmember Winters said it's reasonable; the city always supported the cemetery. Shute said they assuming expenses previously handled by the funeral home. Gregorcyk asked what drove printing and postage from \$150 to \$2500. Mr. Casey said printing had been absorbed by the funeral home, but now the board wants to reimburse them. They also want to print large poster size maps. The 2020 budget numbers were not raised to the 2021 budget, so when they ask for 50% of the 2021 budget, it was more than the city budgeted. The amount budgeted didn't include the increased sexton salary, printing costs, or increased mowing costs. Gregorcyk asked if more land was acquired to raise the mowing costs. David Wolf, Gardner Township President, said the increase is in spray and fertilizer. They were doing it one time a year, and not able to keep up. Shute asked for consensus, and it was received.

**PUBLIC HEARINGS**

**PUBLIC COMMENTS**

Danedri Herbert, 223 W. Main St., thanked Councilmember Baldwin for talking about SB 13 and speaking on behalf of the taxpayers, and said it's good legislation. It's important that taxpayers know what the city is spending the extra money on. She continued, stating she watched the last city council meeting with disgust when she saw the plans the city is providing Gardner's children with regard to the pool. Fomites are not major drivers of COVID transmission, so there is no need to close the pool every two hours to sanitize. Removing the deck furniture is theater. The Johnson County Health Department, CDC, and WHO are recommending capacity limits at outdoor venues are no longer necessary, as science is showing that outdoor transmission is a statistical anomaly. The Kansas Legislature has limited liability for organizations and businesses for the possible transmission that may occur on their properties, so the city won't be sued if someone contracts COVID at the pool. The school district and city have robbed children of a year of educational and recreational opportunities. The city has the ability to limit the damage by opening the pool without these rules. The children have been hurt the most by this political theater. Children 12 and over who want a vaccine is now eligible. If someone is under 18 and not vaccinated, they are safer than a vaccinated person over 30. Exercise and sunshine are immunity builders. Last summer, parks staff spent time and resources taping off playground equipment instead of working to provide the best services to the children. Staff are not doing their job if they aren't telling the body the ways they can provide the best services to the community. Kids deserve better; open the pool and drop the nonsense.

**CONSENT AGENDA**

- 1. Standing approval of the minutes as written for the regular meeting on May 3, 2021**
- 2. Standing approval of City expenditures prepared April 30, 2021 in the amount of \$449,382.25; May 5, 2021 in the amount of \$16,650; May 7, 2021 in the amount of \$812,740.44; and May 7, 2021 in the amount of \$235,000.00**
- 3. Consider authorizing the purchase of four (4) first responder patrol rifles from GT Distributors plus additional accessories**
- 4. Consider authorizing the execution of a contract with Black & McDonald Electric, LLC for the US-56 and Cedar Niles traffic signalization and striping project**
- 5. Consider authorizing the execution of a contract with Vance Brothers, Inc. for the 2021 Pavement Management Program (Asphalt)**
- 6. Consider authorizing the execution of a contract with Phoenix Concrete, LLC for the 2021 Pavement Management Program (Concrete)**
- 7. Consider authorizing the purchase of 8,000 gallons of fuel for the Gardner Municipal Airport**

Councilmember Gregorcyk Asked to remove items 6-7 from the Consent Agenda.

Councilmember Deaton made a motion to approve items 1-5 on the Consent Agenda.

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Councilmember Winters Seconded.

With all of the Councilmembers voting in favor of the motion, the motion carried.

***Discussion of Consent Agenda Item 6, Consider authorizing the execution of a contract with Phoenix Concrete, LLC for the 2021 Pavement Management Program (Concrete)***

Councilmember Gregorcyk asked if concrete work from previous phases has been corrected. He toured several neighborhoods and still noted shoddy work where the concrete meets the asphalt. City Administrator Pruetting responded to the governing body previously. Gregorcyk asked for the response to be included in the minutes. "Previous phases has focused primarily on the road surface improvements and only included limited curb replacement in the worst portions of the areas they were working, leading to mismatched patches of old and new curb. This year's pavement management plan includes significantly more curb replacement than previous phases to begin addressing the significant backlog of curb and gutter through the city that is in poor condition. Staff is taking a systems approach to pavement management and the pavement, curb, and gutter are an integrated system and will be all managed through the annual pavement plan moving forward." Gregorcyk noted the sales tax is sun setting in 2025. Pruetting noted they had no infrastructure funding in place prior to the sales tax. To absorb \$1.5-2 Million annually into the general fund would be a burden. If council decides, it may be practical to go back to the voters to renew the tax. It should be done two years before the current tax expires so they can prepare for a possible loss of revenue. Gregorcyk noted a special sales tax is funded largely by non-Gardner residents. Pruetting said not largely, but does include some non-residents. It's common to have an infrastructure sales tax to fund improvements. Gregorcyk noted they have 5 years to determine revenue stream. He doesn't want to get to final year without plan.

Councilmember Gregorcyk made a motion to authorize the City Administrator to execute a contract with Phoenix Concrete, LLC for the 2021 Pavement Management Program (Concrete) in the amount of \$222,258.00 and authorize the City Administrator to approve construction related Change Orders up to an additional 10%.

Councilmember Deaton Seconded.

With all of the Councilmembers voting in favor of the motion, the motion carried.

***Discussion of Consent Agenda Item 7, Consider authorizing the purchase of 8,000 gallons of fuel for the Gardner Municipal Airport***

Councilmember Gregorcyk noted the purchase of 8000 gallons identified a sole source provider; they did not use an RFP. The free market sometimes allows better pricing. City Administrator Pruetting said there was a waiver to competitive bidding signed by previous staff, so they revised it and brought it current. The airport has a branded fuel system, so they would need to change the pumps and signage to use a different vendor. Because of the fuel needs, this is the only vendor available to them at this time. They can reassess going forward.

Councilmember Gregorcyk made a motion to authorize the City Administrator to purchase 8,000 gallons of fuel from Hampel Oil Distributors Inc. for the Gardner Municipal Airport in an estimated amount of \$28,488, and authorize the City Administrator to approve up to an additional 10%, based on actual fuel pricing at the time the order is placed

Councilmember Deaton Seconded.

With all of the Councilmembers voting in favor of the motion, the motion carried.

**PLANNING & ZONING CONSENT AGENDA**

**1. Consider accepting the dedication of right-of-way and easements on the final plat for Willow Chase VI**

Councilmember Gregorcyk asked to remove Item 1 from the Planning & Zoning Consent Agenda.

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***Discussion of Planning & Zoning Consent Agenda Item 1, Consider accepting the dedication of right-of-way and easements on the final plat for Willow Chase VI***

Councilmember Gregorcyk asked about a crosswalk, because that thoroughfare is active. City Administrator Pruetting said the developer is not required or being asked to provide a crosswalk or sidewalk on the east side of Moonlight. There is no plan for an east/west pedestrian crossing at 183<sup>rd</sup> St. The 'Safe Routes to School' project will provide an east/west crossing at White Dr. Gregorcyk said the traffic is no different further east than the crosswalk they had installed at 183<sup>rd</sup> St. Shute noted that Moonlight Rd is a heavily traveled north/south thoroughfare with a blind curve. The sidewalk is below grade, and it would be difficult to utilize that sidewalk.

Councilmember Gregorcyk made a motion to accept the dedication of right-of-way and easements on the final plat for Willow Chase VI (FP-21-03).

Councilmember Winters Seconded.

With all of the Councilmembers voting in favor of the motion, the motion carried.

**COMMITTEE RECOMMENDATIONS**

**OLD BUSINESS**

**NEW BUSINESS**

**1. Consider adopting an ordinance condemning land for the US-56 Highway Pavement Reconstruction Project**

City Engineer Tim McEldowney brought a resolution in December 2020 to begin the condemnation process on the US-56 project. Since then, the city's acquisition agent has been negotiating with the property owners along the project corridor. About half of the easements have been completed. This ordinance would give the authority to proceed with condemnation on individual properties. Negotiations have been going well, but slow. This will set a timeline and allow them to finish negotiations.

Mayor Shute asked if there would be a resolution 60 days from this date. City Administrator Pruetting said this action sends a letter to get them to the table. The condemnation process takes 60-90, but it won't start tomorrow. Shute said the construction start date is in August. McEldowney said they have options for the temporary construction easements.

Councilmember Baldwin clarified the letter would ask for response in 30 days, and then begin condemnation. Shute confirmed.

Councilmember Deaton made a motion to adopt Ordinance No. 2702, an ordinance condemning land for the location, laying-out, construction, reconstruction, operation, use, maintenance and repair of a roadway improvement project known as the US-56 Highway Pavement Reconstruction Project located within the City of Gardner, Johnson County, Kansas, and directing the City Attorney to institute eminent domain proceedings as provided by law to acquire the tracts and parcels of land described in this ordinance

Councilmember Gregorcyk Seconded.

With all of the Councilmembers voting in favor of the motion, the Ordinance passed and was assigned Ordinance number 2702.

Winters:	Yes
Gregorcyk:	Yes
Roberts:	Yes
Baldwin:	Yes
Deaton:	Yes

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**2. Consider authorizing the execution of an amendment to the engineering services contract with George Butler & Associates for the preliminary design of a new South Wastewater Treatment Plant**

Utilities Director Gonz Garcia provided additional information, timeline, and scenarios being proposed as part of the amendment. In March 2019, HDR completed the Wastewater Master Plan. They identified a need for a South Wastewater Treatment Plant (SWWTP). The master plan primarily focused on the collection system to accommodate growth within the existing service area. In March 2020, HDR completed an anti-degradation review for KDHE. Staff did not receive a response from KDHE. In July 2020, KDHE indicated the proposed plant could not discharge more than 750,000 gallons to the Hillsdale reservoir. KDHE requested two alternatives to the anti-degradation study. One was pumping northeast to Wolf Creek or east to Sweetwater Creek. Staff retained GBA to complete the addendum to the anti-degradation study because HDR did not respond to inquiries. In the summer of 2020, the city contracted with GBA for preliminary design of the SWWTP. In January 2021, GBA completed the addendum to the anti-degradation review. Due to KDHE response, GBA provided a SWWTP alternative cost comparison, evaluating the associated treatment plant costs to serving the southeast planning area to Kill Creek. This evaluation did not include any analysis of the existing collection system to convey wastewater flow from the planning area through the existing system. The amendment to the original scope of work will model the existing and proposed improvements required to develop the southeast planning area along with the funding needs and timeline for those improvements. This work will include detailed alternatives for the south and east lift station sites, alternative routes, timelines and financial impacts to city's wastewater fund. The original contract was set at \$388,172 and there is a balance of approximately \$160,000 remaining. This amendment will add \$98,458 to the project, for a grand total of \$486,630.

Councilmember Baldwin asked which of the three hydraulic models are most viable. Colin Stalter, GBA, said they would evaluate all three options. The hydraulic modeling options are split into three overall categories. One considers a short-term solution; other scenarios are more long-term. Baldwin asked if there was a response from KDHE on what they'll allow with Kill Creek in the future. Mr. Stalter said they were going to suggest delaying the nutrient limits that would need to be met with the next permit on the expansion of Kill Creek. They are going to evaluate and make the proposal. Mayor Shute said that still limits the city on growth in the southeast quadrant. Effluent is the issue. If they expand Kill Creek, they would need additional parallel lines. They wouldn't need that infrastructure if they had a new plant. Mr. Stalter said the focus of the study is to provide a timeline of when the improvements would be needed so the city can budget. Councilmember Gregorcyk asked if they have any lobby efforts with KDHE. City Attorney Denk said that's beyond his knowledge. Baldwin asked what the increase in piping is not to go to Hillsdale. City Administrator Pruetting said \$6 Million, and then there would be jurisdictional and easement issues. Mr. Stalter said Olathe Lake has the same eutrophication issues as Hillsdale. Councilmember Winters said this would potentially open up the corridor. Pruetting said this would give them a clear picture and timeline.

Councilmember Deaton made a motion to authorize the City Administrator to execute an amendment to the engineering services contract with GBA for the preliminary design of a new South Wastewater Treatment Plant to include a collection systems evaluation to serve the southwest planning area in the amount of \$98,458.00

Councilmember Winters Seconded.

With all of the Councilmembers voting in favor of the motion, the motion carried.

**COUNCIL UPDATES**

Chief Belcher noted they have a CPAC meeting on Monday, May 24, 7:00pm at the Justice Center.

City Administrator Pruetting appreciated Ms. Herbert's comments and passion for the issue. They are divided as a country on the issue of masks and COVID. Director Bruce is working to find the proper space to operate in. They did not enter the pool season wanting to restrict or close the pool. Staff discussed how to make it as open as possible with the information they had at the time. They were surprised when restrictions were lifted, but they had

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discussed the option of changing the session passes into daily passes. Staff is not working to limit things; they are doing everything they can to make sure everyone has services. Mayor Shute agreed with Ms. Herbert that the children have suffered for the last year. They didn't have flexibility on this because they were following county guidelines that were changed in the last week. Shute asked Director Bruce if staff could reexamine the processes in place based on the new guidance and modify restrictions. Bruce said neither the county nor the CDC has updated aquatics guidance. The CDC hasn't updated their pool guidance. It could change later, but they have a tight timeframe to open. They want to open as safe as possible. They will start with these, but may change later. Shute said there are community members who want the pool to open fully. They have guidance from other agencies, and there aren't any pools in the metro who have opened with no restrictions. Pruetting said it's too late to do pool passes and they are short-staffed on lifeguards. If they have the staff and capability, they can reevaluate going forward. Bruce said staffing is a concern. If the pool is open two hours or eight hours, they still require the same number of lifeguards to operate safely. These restrictions were the best way to start. They are focusing on making sure they have enough staff. Councilmember Baldwin supports opening fully, but lifeguard staffing is an issue. Their plan of doing two-hour sessions allows them to scale it back if there's a staffing issue. It's not ideal, but it's a way to open in some capacity. Councilmember Roberts said the most complaints she heard over the last year was that the pool didn't open. As guidelines come out and they get staffing, she would support opening it up more. Councilmember Gregorcyk said the county commissioners made a recommendation. Shute said pools weren't included. They made recommendations on masks and gatherings. Pruetting said there are no county orders, just recommendations from the CDC. City Attorney Denk said the applying the county health order to pools has a different practical meaning with mass gathering and masking, so now that it's not in place, they are recommendations. There are no county mandates. Gregorcyk supports opening at 100% and put the onus on the parents. Baldwin said if they end up with enough staff to reliably be open eight hours a day, he supports that. Roberts agreed. Gregorcyk asked when they could be fully staffed. Pruetting said they have gone through the first hiring cycle and are well short, so they advertised again. Parks staff is dealing with software and scheduling, there are other areas to work through. Staff now has clear direction of what council wants and they will work toward that. Shute said they will continue with cleaning protocols, but masking and gathering are just recommendations. There is a limitation of liability as well. Baldwin said he would support providing deck chairs; it's been shown there isn't an issue of transmission by touch. Shute asked if they would still wipe down equipment. Pruetting said they wouldn't pause. The original plan was to have the half hour pause in between sessions. Bruce said this was based on the guidelines received in March. It still had social distancing capacity limits, sanitation, masks when not in the water. They don't have updated information based on the changes last week. Gregorcyk asked if they are staffed for two-hour increments and not four. Bruce said in a normal pool season, they have about 90 lifeguards. This year, they started with 45, and are up to 55 currently. They also do swim lessons on the front and end of their day. Pruetting said other cities are having difficulty getting workers as well. Gregorcyk asked if they have staffing for a four-hour session or is it better to keep it at two and go through protocols. Bruce said staffing is the same, and will depend on swim lessons and pool parties as well. The lifeguards are expecting the two-hour windows at the start of the season. Councilmember Winters asked if less days would work for the staffing issue. Bruce said the pool is weather dependent. Pruetting said they are competing with places who have raised their pay. Denk said liability isn't an issue. There's a waiver in Kansas law with a provision that there is immunity provided they are complying with local health regulations, and the county has none currently. There is also a recreational use exception to liability. Shute said if they have staffing, they should open it up. Winters asked if the number of people affects staffing or they staff by station. Bruce said the stations are the same regardless of capacity. They built in half-hour windows for cleaning. Winters said if they are cleaning, they are still there all day. Bruce said during the half-hour cleaning, they are not working stations; they are cleaning. Pruetting said they would go back to cleaning once a day. Baldwin supports that. Gregorcyk said it's a staffing issue, not a virus issue. Baldwin asked if they collect money up front for sessions, so if they miss, the city still collects. Bruce confirmed, and said the only time they would issue refunds is if the pool closes. Gregorcyk asked what the consensus is. Winters supports opening if they have staff. Shute said go back to pre-pandemic protocols. Roberts agreed, if they have staffing. Gregorcyk agreed, contingent on staffing. Bruce confirmed that the recommendation from the governing body is to open as normal with no restrictions, full capacity, no time restrictions, deck furniture and day passes only. Councilmember Deaton said they can't sell season passes at this time, and asked if day passes can be

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purchased ahead of time to skip the line. Shute suggested online reservations only. Baldwin said they would still need to check in at the gate. Winters asked how many people walk up and may not have access to it online. Pruetting said they can still offer walk-up and wait in line. Bruce said they are two separate lines. Gregorcyk asked about purchasing multiple day passes. Bruce said this is new software and he will look into it. Baldwin asked if they need to delay opening because of these changes. Bruce doesn't believe so. Roberts asked about the pool repair. Pruetting said that could delay opening. Bruce said staff are working on it. Pruetting asked if there is interest in incentivizing the hiring of lifeguards by adjusting pay. Bruce said they offer a quarter raise each year for the hourly employees and it's \$10.50 this year. Deaton asked if there will be concessions. Bruce confirmed; Shute clarified it's packaged food. Bruce said it's a limited menu. Deaton asked if they have employees for concessions; Bruce confirmed. Deaton asked if there was an underwhelming number of applications. Bruce said they had a lot of applications for concessions and facility attendant, but lifeguard applications are down. They are down across the metro. They are fully staffed everywhere except lifeguards. Shute said if they don't offer a pay raise, they could offer a one-time bonus. Pruetting suggested an end of year bonus for staying. Bruce said other places do that and it works well. Shute suggested working a certain number of hours qualifies for a bonus. Gregorcyk asked about incentivizing returning lifeguards from previous years. Bruce said they don't have that in place currently. Gregorcyk asked if a returning bonus would help. Bruce said yes, and other agencies have similar programs. Shute said knowing the pool is opening fully may incentivize applicants. Roberts said they might have applied elsewhere to get more hours, but now they can get those hours at the pool. Baldwin asked what paying extra will do, if they have enough lifeguards to do whatever they decide. Shute noted they are down 30 lifeguards. Baldwin asked how they plan to open with the shortage. Bruce said there is an operational number, but they are flexible with their seasonal employees with regard to days off and summer activities. If they are missing two or three guards on certain rotations, then they shut down that section. If they don't have enough guards for the slide, then they close the slide. They have enough to operate, but they are not staffed at 2019 levels. Baldwin asked why they would spend extra on an asset that loses money every year. Finance Director Wolff said lifeguard salary is around \$176,000. Before increasing wages, they would need to know the impact. Gregorcyk asked how many they have now and how many is ideal. Bruce said they have 55 currently, and would prefer 80. Pruetting said a full staffing increase of a dollar would be \$17,000. Deaton said her teenagers don't make \$10.50; they make less than that. Bruce said this is for a three-month window. He can work with Director Wolff on the financial impact. Winters said they are competing with other businesses in town. The city is paying more than other businesses so the pay is enough. Deaton supports an end of year bonus to retain trained staff all summer. If they raise the wage, they will have to budget for increases each year. Shute supports a bonus for working 75% of the available hours worked. Bruce said there are different hourly wages, and he will work with Wolff on options. Baldwin supports comparing to others in the industry to remain competitive, but the pay shouldn't be inflated because of COVID. Gregorcyk requested more information on salary increases in the Friday Minute Memo, and suggested a not to exceed \$0.25 on the hourly rate. Pruetting noted they need to determine the daily rate. Shute said most people buy season passes because they are discounted. Baldwin said a quarter won't make a difference, but advertising that they need lifeguards in order to open all the amenities is more effective. Bruce said if they opt for an end of season bonus, they could hold hourly wages flat as long as they remain competitive. Winters said if they set the bonus at a number of hours, it will keep them motivated to show up. Shute summarized that staff will provide budget information in the memo and research end of year bonus structure. Bruce confirmed they are to open at full capacity, no restrictions, day passes, and no seasonal passes.

Director Bruce said they lost one day of a large baseball tournament because of weather. Staff plan to start summer sports on Tuesday, June 1, and schedule will be out soon. They have almost 800 registered.

Director Headlee noted there is a PWAAC meeting on May 24 at the Senior Building.

Councilmember Gregorcyk asked about Project grad. Pruetting said the city is donating \$3,000 to Project Grad. Shute said that money came from the State of the City budget since they won't have that in-person this year. Gregorcyk said he is still hearing from residents on Cherokee regarding large truck traffic. He supports an overhead barrier to limit truck traffic. He is meeting with Fire Chief Kirk to discuss it. Firehouse 81 will be in service soon, offering another way to serve the LPCK area. They need to do something for the residents. The



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new ladder truck is 10'10", where an 18-wheeler is 12'5" to 13'5". Shute said the barriers are usually 11'6", and it would have to be at the entrance on the west side. They can't place it further down, because truck drivers will turn and have no way to get out. Gregorcyk said it should be on the city boundary. Shute said they will get to the end not be able to turn around. Gregorcyk suggested having the route updated on Google. Pruetting said they can discuss that with the Southwest Johnson County Area Plan with the multi-jurisdictional task force. Shute said they may need two, one at Center and one at the boundary. Gregorcyk said there is signage, but they ignore it. Belcher said PD continues to have officers at that area and make stops. They understand what those residents are going through. Gregorcyk continued, informing everyone the fire board meetings are now in person at New Century on the 2<sup>nd</sup> Tuesday of each month at 7pm. SB 13 affects the fire board as well. Councilmember Baldwin if the fire board meetings are live streamed. Councilmember Gregorcyk said they are not at this time, but he will ask Chief Kirk about it.

Councilmember Winters asked if there are numbers for the first day of the large item pick up. Director Headlee said they collected 47 tons on the north side of town. The number are lower, and they estimated 1 in 20 houses participated. They attribute the lower number due to restrictions in construction debris. Shute said they are following restrictions.

Mayor Shute appreciates everyone's patience while everything changes quickly.

**EXECUTIVE SESSION**

**ADJOURNMENT**

There being no further business to come before the Council, on a motion duly made by Councilmember Deaton and seconded by Councilmember Baldwin the meeting adjourned at 8:56 p.m.

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City Clerk